

REMARKS

The above Amendments and these Remarks are in reply to the Office Action mailed January 16, 2007.

Currently, claims 1-47 are pending. Applicants have amended claims 1, 8, 12, 20, 27, 29, 33, 36, 39, and 44. Applicants respectfully request reconsideration of claims 1-47.

I. Objection to the Specification

The Specification has been amended to properly use the trademark JAVA. Reconsideration of the Specification is respectfully requested.

II. Rejection of Claim 1 Under 35 U.S.C. §112, Second Paragraph

Claim 1 has been amended to correct the limitation “said additional method.” Reconsideration of claim 1 is respectfully requested.

III. Rejection of Claims 12-17, 25, and 26 Under 35 U.S.C. §101

Claims 12-17, 25, and 26 have been rejected under 35 U.S.C. §101 because the Examiner asserted that the claims were directed to non-statutory subject matter. Particularly, the Examiner argues that the claims do not achieve the final result (“accessing information”). The preamble for independent claim 12, upon which claims 13-17, 25, and 26 depend, has been amended to recite, “A method **to provide access** to information.” The final result (“providing access to information”) is achieved through the step of “invoking said second method, including providing said result to said second method.” “Access” is provided to “information” (i.e. “said result”) through the invocation of the “second method.” Applicants respectfully request reconsideration of claims 12-17, 25, and 26.

IV. Rejection of Claims 1-7, 9-19, 21-26, 29-32, 34-38, 41-43, and 45-47 Under 35 U.S.C. §102(b)

Claims 1-7, 9-19, 21-26, 29-32, 34-38, 41-43, and 45-47 have been rejected under 35 U.S.C. §102(b) as being anticipated by Nilsson (US 6,289,446). Because Nilsson does not disclose all of the limitations of claims 1-7, 9-19, 21-26, 29-32, 34-38, 41-43, and 45-47, Applicants assert that the claims are patentable over the cited prior art.

Claim 1 is not anticipated by Nilsson because Nilsson does not disclose “adding new code to said first method, said new code provides said result to an additional method,” wherein “said first method is capable of providing [the] result.” Instead, Nilsson discloses “a compiler [that] inserts [a] special JSRC instruction at appropriate places in the code” (col. 10, lines 38-39).

The new command has all of the features of the traditional jump to subroutine commands, plus an extra long word that contains an address to the context table... Context information is used to keep track of which part of a given function code is executing when the exception is thrown (col. 7, lines 4-10).

The “JSRC instruction is used to go directly to the correct context record” (col. 7, lines 29-30) in order to facilitate proper stack unwinding. However, this “new code” does not “provide said result [from a first method] to an additional method.” The only information provided by the “new code” is the location of the context data, which is not a “result” from “a first method” and is not provided to “an additional method.” Because Nilsson does not disclose “adding new code to said method, said new code provides said result to an additional method,” the reference does not anticipate claim 1. Claims 2-7, 9-19, 21-26, 29-32, 34-38, 41-43, and 45-47 are distinguishable over the prior art for at least the same reasons as claim 1.

The Examiner argues that the originally compiled object modules prior to linking in Nilsson can be equated to the “existing object code,” and the executable code produced after linking is equated to the “result.” The linking of the JSRC instruction to the compiled object modules is argued to be the “adding new code” element, and when the newly linked code is run, the Examiner argues that the new executable code (i.e. “said result”) is provided. Even assuming this were true, the “result” (new executable code) is **not** provided to “an additional method.”

Additionally, the “result” from the “new code” (new executable code) is not the same “result” as the linked code from the “existing object code” (original executable code). Using the Examiner’s argument, Nilsson still does not anticipate claim 1. Claims 2-7, 9-19, 21-26, 29-32, 34-38, 41-43, and 45-47 are distinguishable over the prior art for the same reasons as claim 1. Applicants respectfully request reconsideration of these claims.

V. Rejection of Claims 8, 20, 27, 28, 33, 39, 40, and 44 Under 35 U.S.C. §103(a)

Claims 8, 20, 27, 28, 33, 39, 40, and 44 have been rejected under 35 U.S.C. §103(a) as being obvious over Nilsson. Because the cited prior art, together with the knowledge of one having ordinary skill in the art, does not teach or suggest all of the limitations of the rejected claims, Applicants assert that the claims are in condition for allowance.

As discussed above, Nilsson does not disclose, teach, or suggest “adding new code to said method, said new code provides said result to an additional method.” Furthermore, it would not be obvious to one of ordinary skill in the art to develop the claimed features. The knowledge of one having ordinary skill in the art adds nothing regarding providing “said result to an additional method” since it would not be obvious to add “new code” to a “first method” that provides “said result” in order to achieve this. Therefore, Nilsson would not lead one of ordinary skill in the art to develop the claimed invention as described in claims 8, 20, 27, 28, 33, 39, 40, and 44. Applicants respectfully request reconsideration of these claims.

Based on the above amendments and these remarks, reconsideration of claims 1-47 is respectfully requested.

The Examiner’s prompt attention to this matter is greatly appreciated. Should further questions remain, the Examiner is invited to contact the undersigned agent by telephone.

Enclosed is a PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. § 1.136 for extending the time to respond up to and including today, April 23, 2007.

The Commissioner is authorized to charge any underpayment or credit any overpayment

to Deposit Account No. 501826 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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